

38-21(51237)F
1628

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited in the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on January 31, 2003.

Judith A. Lorenz

In re application of:)
BOUKHAROV, Andrey A. et al)
Serial No.: 09/702,134) Examiner: Diana B. Johannsen
Filed: October 31, 2000) Group Art Unit: 1638
For: Plant Genome Sequences and Uses Thereof)

Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Transmitted herewith are the following documents in the above-identified application.

- Response to Election Requirement;
 If an additional extension of time is required, but is not enclosed, please consider this a conditional petition therefor and charge Deposit Account 13-4125 accordingly.
 Please charge any deficiencies or credit any overpayment to Deposit Account 13-4125. A duplicate copy of this sheet is attached.

Respectfully submitted,

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

BOUKHAROV, Andrey A. *et al.*

Appl. No.: 09/702,134

Filed: October 31, 2000

For: **Plant Genome Sequences and Uses
Thereof**

Art Unit: 1634

Examiner: Diana B. JOHANNSEN

Atty. Docket: 38-21(51237)F/16517.114

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Response to Election Requirement

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action mailed December 31, 2002 (Paper Number 8),

Applicants submit the following remarks.

Remarks

In the Office Action mailed July 2, 2002 (Paper Number 5), the Examiner required election under 35 U.S.C. § 121 to either a single SEQ ID NO or to nucleic acids encoding a single protein selected from Table 1. Applicants respectfully traversed the election requirement, and provisionally elected SEQ ID NO: 7212 for further prosecution. *See* Response to Election Requirement mailed October 31, 2002 (Paper Number 7).

Applicants note that the Examiner also stated "If a single SEQ ID NO is elected, Applicants should further identify the protein of Table 1, if any, that corresponds to the elected